

02-14-2003

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #30

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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In re Trademark Application of :
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Dr Pepper/Seven Up, Inc. :
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Serial No. 78-128,449 :
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Filed: May 14, 2002 :
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Mark: DR PEPPER RED FUSION :
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Published in the Official Gazette :
on December 17, 2002 :
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SECOND PETITION FOR EXTENSION OF TIME TO OPPOSE

To the Assistant Commissioner of Patent and Trademarks:

On behalf of Aldi Inc., a corporation organized and existing under the laws of the State of Illinois, located at 1200 North Kirk Road, Batavia, Illinois 60510-1479, we hereby request a thirty (30) day extension of time up to and including March 17, 2003 in which to file a Notice of Opposition against the above-identified trademark application.

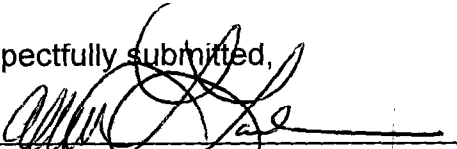
This extension is required to provide time for the potential Opposer and its Counsel to consider the matter, to gather information, and to confer so that a decision can be made as to whether or not an Opposition should be filed.

This request is for good cause and is not filed for the purpose of mere delay, and favorable consideration of this Petition is respectfully requested.

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Pursuant to Rule 2.102(d), this Petition is submitted in triplicate.

Respectfully submitted,


Allen L. Landmeier
Attorney for Aldi Inc.

Dated: February 11, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, ATTN: BOX TTAB - NO FEE, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on February 11, 2003.


Allen L. Landmeier, Its Attorney

February 11, 2003
Date of Signature

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